



DAC 72W

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inve application of: Jeffrey D. Messerly

Atty Dkt. Ref.: END-736

Serial No.: 09/826,070

Group Art Unit: 3731

Filed: April 4, 2001

Examiner: Paul Roberts

Title: **BLADES WITH FUNCTIONAL BALANCE ASYMMETRIES FOR USE WITH
ULTRASONIC SURGICAL INSTRUMENTS**

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Mail Stop Petition, Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on:

August 18, 2005

(Date)

Verne E. Kregar, Jr.

Name of person signing, applicant, assignee, or Registered Representative

Verne E. Kregar Jr.

(Signature)

08/24/2005 EFLORES 00000060 100750 09826070

August 18, 2005

01 FC:1453 1500.00 BA

(Date of Signature)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR §1.137(b)**

Dear Sir:

Applicants respectfully submits that the entire delay in filing the required reply until the filing of a grantable petition pursuant to 37 CFR §1.137(b) was unintentional and petition for the revival of the above-identified application.

The undersigned attorney for the Applicants became aware that the above-referenced application was abandoned on Tuesday, August 16, 2005. Below are facts pertinent to the unintentional abandonment.

Petition to Revive

s/n 09/826,070

- 1 -

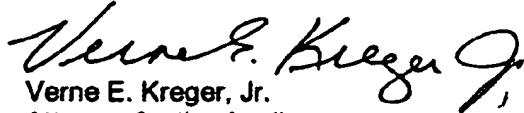
09/23/2005 AKELLEY 00000006 100750 09826070

01 FC:1999 1400.00 DA

A terminal disclaimer is not required since the application was filed after June 8, 1995.

The Commissioner is hereby authorized to charge the petition fee of \$ 1,500.00 (1.17m), and any additional fees, which may be required, to Account No. 10-0750/END-736/VEK.

Respectfully submitted,



Verne E. Kreger, Jr.
Attorney for the Applicant
Reg. No. 35,231

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(513) 337-3295
DATED: August 18, 2005